

**REMARKS/ARGUMENTS**

Applicant has amended claims 1, 2, 29, and 30 of the claims in issue considered by the Examiner in the Office Action dated July 20, 2009. Upon entry of the response and of the amendments, claims 1-25 and 27-30 are pending for reconsideration by the Examiner.

Upon further reflection, Applicant has amended the claims to better define the invention. New features concerning mouse operation are recited.

Specifically, the amendments concern new limitations of mouse operation in Claims 1, 2, 29 and 30. The amendatory language inserted into claims 1, 2, 29, and 30 now clearly patentably distinguishes the claims over the Adler reference.

Reconsideration of the Examiner's rejection is respectfully requested in view of the following remarks and the amendments.

The Examiner has repeatedly rejected Claims 1-13, 24 and 27 -30 under 35 U.S.C. §103(a) as being obvious by Adler (US Patent 6,256,015 B1). Applicant respectfully traverses the rejections.

The support for the amendments of Claim 2 concerning to the form of the casing, which provide the claimed ways of mouse operations, is explicitly described in paragraph 0040 of the specification.

As for the amendatory claim language of mouse operation, the Examiner will appreciate the following:

The primary and secondary buttons of the mouse 100 each are parts of ends of levers 105c and 106c, which longitudinally extend from a common plane 140 of the casing on which other ends of the levers are firmly fixed (Claim 24, Drawings 5 and 7; paragraphs 0047, 0048). The common plane 140 is inclined toward the front end of the casing relative to a cross panel of the casing (Claim 27, Drawing 7).

It is self-explanatory that the force applied by the fingertip against the moulded contact surface of the mould 117 or 118 **in direction indicated by arrow 5**, shown in Drawing 3 as being situated obviously **parallel to the working surface**, will bend the lever 105c or 106c inclined to the front, rather upwards than downwards. Consequently, the user can actuate forward movement of mouse 100 in position 117f without actuating the primary or secondary button by moving fingertip, as it is shown in Drawing 3, parallel to the working surface when stretching the finger forward against the mould 117 (Drawings 3, 5, and 7; paragraph 0038).

The force applied by the user's fingertip on the contact area of the mould 117 or 118 **in direction indicated by arrow 6** of Drawing 3 will bend the lever 105c or 106c downwards; thereby, actuating the primary or secondary button **without actuating movement** of the mouse 100, see Drawings 3, 5, and 7; paragraph 0013 and paragraph 0055 in which the way of the button actuating is explicitly given, as follows:

“Furthermore, the positioning, form, and construction of the buttons of the present embodiments encourage the user to actuate the primary or secondary buttons in a biomechanically convenient way, by stretching the user’s index finger or user’s middle finger, respectively, in the combined down-forwards motion, which can be described as similar **to stroking, tangential to, a conventional formed upper surface of the button** ... in the direction indicated in Fig. 3 by arrow 6.”

Thus, the moulded form of the upper surface and constructions of the mouse buttons of the present disclosure explicitly given in the specification, shown in the drawings, and claimed in the claims provide the ways of mouse operation and button actuation claimed in Claims 1 and 2.

Applicant continues to assert that claim 1, 2, 29 and 30 were patentable over the cited Adler reference for, among other things, the reason that the Adler reference simply does not fairly or properly disclose, teach or suggest any **structure, like the mould formed or attached on the upper surface of the button**, which could provide the ways of mouse operating in the manner claimed in the present disclosure.

To support Applicant's assertion, Applicant submits below annotated fragmentary illustrations of Adler's Drawings, Figs. 4 and 7, and further annotated with an inserted contour of the finger and Applicant's mould. Applicant will appreciate if the Examiner would pay attention to the annotations given

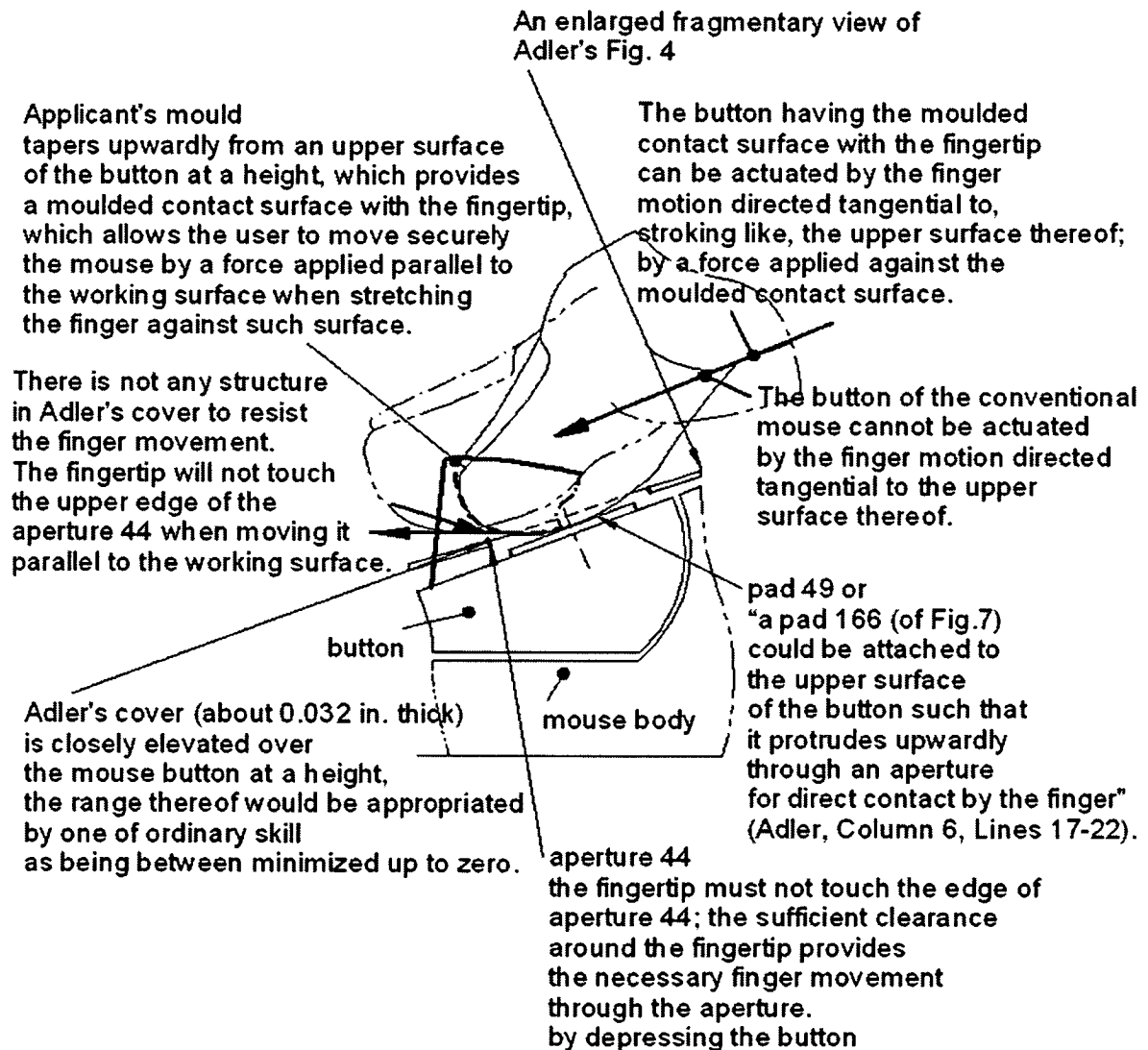
additionally in the submitted illustrations to explicitly describe the differences between Adler's cover and Applicant's disclosure.

The subject matter of the present disclosure is the moulded form of the upper surface of the mouse button, which allows the user to **move the mouse forward** without actuating the button **by a force applied** generally **parallel** to the working surface **by the index or middle fingertip** when stretching the finger against the moulded contact surface **and to actuate the button** without actuating mouse movement **by a force applied tangential** to the angled upper surface of the mouse button by the index or middle fingertip when stretching the finger forward downward against the moulded contact surface (See Claims 1, 2, 29 and 30, Fig. 3; and below submitted illustrations).

The button of a conventional mouse, **to which casing the Adler cover is attached, cannot** be actuated by **a force applied** by the fingertip **tangential to**, stroking like, the surface of the button. The upper surface of the Adler's pad 49, the only structure of the Adler's disclosure being attached to the button, is matched to the upper surface thereof, and consequently, does not provide a structure to resist fingertip movement directed tangential to the upper surface of the pad 49.

Thus, there is **not** any structure in Adler's cover being attached to the mouse button, which could provide button actuation in the way claimed by Applicant in the present invention. The Examiner would appreciate that alone

due to this feature Applicant's Claims 1, 2, 29 and 30 are patentable over the cited Adler reference.



Further, the only function of the aperture 44 in Adler's cover is to enable the user to actuate the button by depressing it by the fingertip movement **directed perpendicularly** to the surface of the button.

To allow the fingertip movement without any hindrance directly through the aperture the size thereof should provide a sufficient clearance between the

fingertip and the edge of the aperture even for the users whose fingertips are too large to reliably actuate the button directly through the aperture.

For the users whose fingertips are too large to reliably actuate the button directly through the aperture Adler teaches: “a simple pad 166 (of Fig. 7) without an arm 160 could be attached to the upper surface of a corresponding one of the buttons of the mouse such that **it protrudes upwardly through a corresponding aperture** (over the edge thereof) **for direct contact** by a corresponding one of the user’s **fingers**” (Column 6, Lines 17-22, Fig. 7, emphasis added).

Adler does not teach, suggest, or motivate the use of the edge of the aperture for mouse moving by the finger when pushing it against the edge for the simple reason that the edge could hinder the finger movement through the aperture by button actuating.

By closely considering the above given illustration and taking in account the above mentioned the Examiner will appreciate that the finger should **not** touch the edge of the aperture 44 when placed on the pad 49, which is situated in the center of the aperture on the mouse button. In order to contact the edge of the aperture 44 one of ordinary skill must first move his fingertip **tangentially to** the upper surface of the pad 49. This means that one of ordinary skill could **not** regard **the edge of the aperture 44 as a direct contact surface** with the fingertip when placed on the **pad 49** or the **pad 166**, which **protrudes** upwardly through the aperture **over** the edge thereof.

In contrast to Adler, due to the moulded contact surface, which tapers upwardly from the button surface, the Applicant's mould can receive securely fingertips with various masses and provide the moulded surface for direct contact with the fingertip.

As further seen in the above given illustration, the front edge of the **angled** aperture 44, which **is indeed cut through** the angling surface of the cover, is situated below the fingertip placed on the pad 49, which is situated in the center of the aperture 44 on the button surface.

As explicitly explained above, the sufficient clearance around the fingertip and the edge of the aperture should be provided to allow the necessary finger movement without any hindrance from the edge of the aperture 44 by depressing the button.

This means that the **front edge of the angled aperture 44** is obviously situated **below** the trajectory of fingertip movements when stretching the finger forward, parallel to the working surface, and consequently that by the finger motion forward, **parallel** to the working surface, from the **angling** upper surface of the button the fingertip will **not touch** the front edge of aperture 44 of Adler's preferred embodiment of Fig. 4.

Thus, there is **not** any structure in Adler's cover to resist the finger movement directed parallel to the working surface when moving it from the pad 49 attached to the button.

The Examiner will appreciate that the edge of Adler's cover (about 0.032 in. thick) is **closely elevated** over the mouse button **at a height**; the range thereof would be appreciated by one of ordinary skill as being between **minimized up to zero** (See Adler, Column 3, Lines 38-40; Column 6, Line 33).

**close**            *with little or no space between* (Oxford Dictionary)

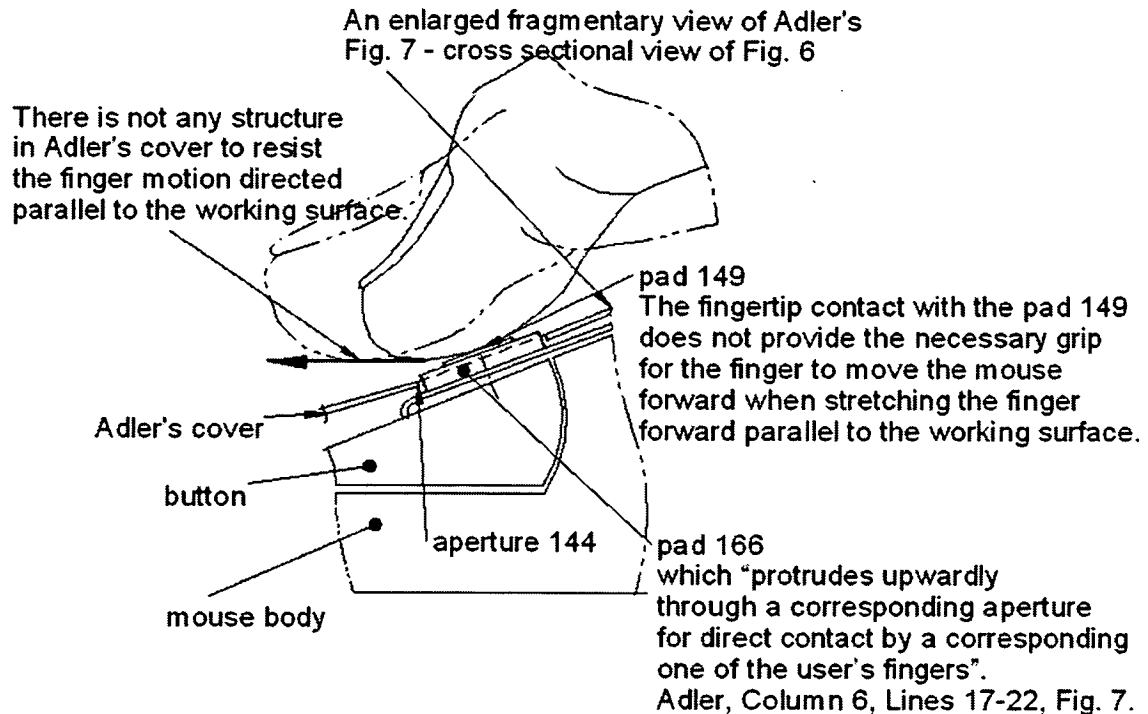
In contrast to Adler, Applicant discloses the mould, which tapers upwardly from the angled upper surface of the button at **a height**, which provides a moulded contact surface with the user's index or middle fingertip, which **allows** the user **to move securely the mouse** without actuating the button **by a force applied generally parallel to the working surface** by the fingertip when stretching the index or middle finger against the moulded contact surface in order to effect vertical movement of a pointer on a computer screen in upward direction.

Therefore, the Examiner's rejections based on the use of the structure of Adler's cover attached to the casing of a conventional mouse, like the edge of the aperture 44 (about **0.032 in. thick**), which is closely elevated over the upper surface of the button at a **height**, which could be appropriated by one of ordinary skill as being between **minimized up to zero**, for moving the mouse forward by **just the index or middle finger** when stretching it forward, parallel to the working surface, it is respectfully submitted, cannot be properly sustained.

By closely considering the below submitted illustration, the Examiner will appreciate that there is **not** any structure illustrated in Adler's Figs. 6 and 7,



which could resist the finger motion placed onto the pad 149/166 when stretching it against such structure in order to move the mouse forward.



Applicant respectfully submits that, the Examiner rejections based on the use of the contact surface of the fingertip with the pad 149/166 of Adler's Figs. 6 and 7 to move the mouse forward by the finger movement directed forward, parallel to the working surface are incorrect.

Taking in account all above mentioned, the Examiner will appreciate that Applicant claims in the present disclosure the structure that allows the user to **move the mouse forward** without actuating mouse button and **actuate the**

**button** without actuating mouse movement with **the same finger i.e. index or middle finger.**

Adler does not teach, suggest, or motivate such **structure, which could allow the user to operate the mouse in the manner claimed in the present disclosure**, therefore, the Examiner's rejections of Claims 1, 2, 29 and 30 concerning to the form of the upper surface of the buttons and the ways of mouse operating and button actuating, it is respectfully submitted, are improper.

Claims 3-25 and 27-30, which depend directly or indirectly in Claims 1 and 2 are patentable for the reasons advanced for Claims 1 and 2.

Applicant submits that the amendments as presently submitted very clearly cannot be remotely disclosed, taught, or suggested in the cited Adler reference (or in combination with any other reference cited or identified by the Examiner).

For the reasons discussed herein, Applicant respectfully contends that the Examiner's rejections were improper and respectfully request that the present claims be passed to issuance.

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Respectfully Submitted,

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